

REMARKS

The Official Action dated August 25, 2004 has been carefully considered. Accordingly, the changes presented herein, taken with the following remarks, are believed sufficient to place the present application in condition for allowance. Reconsideration is respectfully requested.

On September 18, 2003, the present application, a divisional of Application Serial No. 09/795,645, filed February 28, 2001, was filed with a Preliminary Amendment. The Preliminary Amendment canceled claims 1-19, and asserted new claims 20-39. By present amendment, these same new claims are repeated above. New claim 40 also has been added. Support for claim 40 may be found in the specification at page 7, lines 9-13, and in Figure 1. It is believed that these changes do not involve any introduction of new matter, whereby entry is believed to be in order and is respectfully requested.

Claims 1-17 were rejected under 35 U.S.C. 102(e) as being anticipated by Scott, et al (U.S. Pat. App. No. US 2002/0157368 A1). The Examiner asserted that the Scott discloses the claimed invention in Fig. 2, 3, and 4 and as disclosed. By Preliminary Amendment, and by current amendment, claims 1-17 have been cancelled. Accordingly, the rejection is traversed.

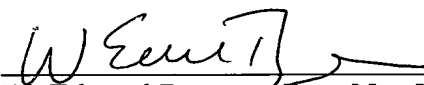
With regard to claims 20-40, Scott cannot serve as the basis for a rejection under 35 U.S.C. 102(e). Scott has a priority filing date of January 25, 2001, for purposes of 35 U.S.C. 102(e), assuming that the provision application (No. 60/325,751) fully discloses the subject matter of Scott. Submitted herewith in accordance with 37 CFR 1.131 and MPEP 715 is the Declaration of Dennis Brandon, establishing that the invention of the present application was invented prior to January 25, 2001. As the date of invention precedes the earliest priority date of Scott, Scott cannot serve as the basis of a 102(e) rejection. MPEP 2136.05.

In addition, Applicant finds no teaching or suggestion by Scott of an S-shaped string holder biased against the underside of a string carrier plate, or of a wear point removably connected to the mow ball, as disclosed and claimed in the present application (see claims 25 and

40). Furthermore, Applicant finds no teaching or suggestion by Scott of a keyed spindle shaft and matching height adjustment tube, a string cutting assembly adjustably connected to the height adjustment tube and adapted to be fixed at various positions along the height adjustment tube, a string mount provided with a threaded opening and a height adjustment tube with an exteriorly threaded surface adapted to be threaded into the threaded opening of the string mount, string holders provided with v-shaped openings for holding cutting string, a locking plate for securing the string cutting assembly at various positions along the length of the height adjustment tube, or a flat locking portion along the length of the height adjustment tube and the locking plate is provided with a rectangular-shaped opening for engaging the flat locking portion, thereby fixing the string mount in place, as claimed in claims 33-39. The rejection with respect to these claims has been traversed, and reconsideration is respectfully requested.

Accordingly, the rejection under 35 U.S.C. 102(e) has been traversed with respect to all claims, and reconsideration is respectfully requested. It is believed that the above represents a complete response to the rejection under 35 U.S.C. 102(e), and places the present application in condition for allowance. Reconsideration and an early allowance are requested.

Respectfully submitted,


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